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*Attorneys for Defendant Merck & Co., Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: Fosamax Products Liability :  
Litigation :  
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*This Document Relates to:* : 1:06-md-1789 (JFK)  
Phyllis Waguespack :  
v. Merck & Co., Inc. :  
Case No: 1: 07-cv-03102-JFK : **Rule 7.1 Statement**  
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Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable  
Judges and Magistrate Judges of the Court to evaluate possible disqualification or  
recusal, the undersigned attorneys of record for Defendant Merck & Co., Inc. certify that  
it has no parent companies and are not aware of any beneficial owner of more than ten  
percent of its Common Stock.

Dated: New York, New York  
May 22, 2007

Respectfully submitted,

HUGHES HUBBARD & REED LLP

By: /s/  
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